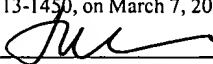


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Julie Nguyen

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the application of:

Amirkhanian

Serial No.: 09/887,953

Filing Date: June 22, 2001

For: OPTICAL DETECTION IN BIO-  
SEPARATION DEVICE USING AXIAL  
RADIATION OUTPUT

Examiner: Counts, Gary W.

Group Art Unit: 1641

TERMINAL DISCLAIMER TO OBVIATE A DOUBLE PATENTING REJECTION

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

The owner, Biocal Technology, Inc., of 100% percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 to 156 and 173, as presently shortened by any terminal disclaimer, of prior Patent No. 6,529,275 and copending Application No. 09/887,871. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This

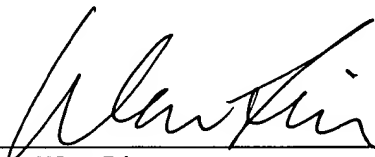
agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 to 156 and 173 of the prior patent, as presently shortened by any terminal disclaimer, in the event that it later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims cancelled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

The undersigned is an attorney or agent of record.

Respectfully submitted,

Dated: March 7, 2005



Wen Liu  
Registration No. 32,822

LIU & LIU  
811 W. Seventh Street; Suite 1100  
Los Angeles, California 90017  
Telephone: (213) 830-5743  
Facsimile: (213) 830-5741